

Message Text

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ACTION EB-07

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FM AMEMBASSY MANILA

TO SECSTATE WASHDC 2242

INFO USMISSION GENEVA

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E O 11652: N/A

TAGS: ETRD, RP

SUBJ: PHILIPPINE TEXTILE AGREEMENT

REF: A. STATE 019170, B. MANILA 1637, C. MANILA 808

1. REQUEST RESPONSE TO PARAGRAPHS 3 AND 4 OF REFTEL B. WOULD ALSO APPRECIATE INDICATION AS TO WHEN RESPONSE DISCUSSED PARA 1 (C) OF REFTEL A CAN BE EXPECTED.

2. WITH RESPECT TO CATEGORY 221, FOR WHICH INCREASE IN NON-TRADITIONAL CONSULTATION LEVEL WAS REQUESTED IN REF C AND TURNED DOWN IN PARA 1 OF REFTEL A, EMBASSY HAS BEEN CONTACTED BY EMBROIDERY BOARD CHAIRMAN PIO DE RODA. PIO DE RODA HAS POINTED OUT THAT NON-TRADITIONAL PORTION OF CATEGORY 221 IS NOT REPEAT NOT COVERED BY SPECIFIC LIMIT AS STATED REFTEL A IN JUSTIFYING TURN-DOWN OF GOP REQUEST.

3. EMBASSY REALIZES THAT DURING NEGOTIATIONS ALL ATTENTION WAS DIRECTED AT TRADITIONAL PORTION OF CATEGORY 221 INASMUCH AS THIS WAS WHERE EXPORTS WERE FOUND. RECORDS OF NEGOTIATIONS SHOW THAT GOP DID NOT EVEN REQUEST YARDAGE IN NON-TRADITIONAL PORTION OF CATEGORY 221. WITH RESPECT TO TRADITIONAL PORTION OF CATEGORY 221 STATEMENT
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REFTEL A IS INDISPUTABLE THAT, "THERE WAS NO IMPLICATION

WHEN AGREEMENT WAS NEGOTIATED THAT THIS CATEGORY COULD BE INCREASED ..." HOWEVER, WITH RESPECT TO NON-TRADITIONAL EXPORTS, IT WOULD, EMBASSY BELIEVES, BE MORE ACCURATE TO SAY THAT, " IT NEVER OCCURRED TO U.S. NEGOTIATORS THAT SUBSTANTIAL INCREASES IN NON-TRADITIONAL EXPORTS IN CATEGORY 221 MIGHT BE SOUGHT THROUGH THE CONSULTATION MECHANISM."

4. EMBASSY WOULD LIKE TO POINT OUT THAT PARA 7 (C) OF AGREEMENT IS OPERATIVE PARAGRAPH WITH RESPECT TO GOP REQUEST, NOT PARA 5. PARA 7 (C) IN TURN REFERS ONE BACK TO PARA 7 (A), WHICH AT VERY LEAST ENTAILS OBLIGATION TO SUPPLY DATA. AS WASHINGTON AWARE, HOWEVER, OBLIGATION IS IN FACT CONSIDERABLY GREATER IN THAT HEAD OF U.S. PANEL AFFIRMED TO GOP THAT INCREASES IN CONSULTATION LEVELS WOULD BE VIRTUALLY ASSURED, UNLESS MARKET SITUATION CHANGED DRASTICALLY FROM THAT PREVAILING AT TIME AGREEMENT NEGOTIATED.

5. BELIEVE WASHINGTON WOULD AGREE THAT WHILE RESPONSE REFTEL A MAY BE LOGICAL FROM STANDPOINT OF U.S. INDUSTRY SITUATION, IT IS NOT FULLY SATISFACTORY WITH RESPECT TO PARAGRAPHS 7 (C) AND 7 (A) OF AGREEMENT. U.S. IS, IN EFFECT, SAYING, "GOSH, FELLOWS, WE NEVER SUPPOSED YOU WOULD APPLY PARAGRAPHS 7 (C) AND 7 (A) TO CATEGORY 221*" EMBASSY THEREFORE ASKS THAT FURTHER CONSIDERATION BE GIVEN TO POSSIBILITY OF INCREASING NON-TRADITIONAL CONSULTATION LEVEL OF CATEGORY 221 AND, IF INCREASE PROVES IMPOSSIBLE, THAT DATA REQUIRED BY PARAGRAPH 7 (A) BE SUPPLIED.
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